

**FOR PUBLICATION**  
**UNITED STATES COURT OF APPEALS**  
**FOR THE NINTH CIRCUIT**

ROBERT BARNETT, <i>Plaintiff-Appellant,</i>  v.  U.S. AIR, INC., <i>Defendant-Appellee.</i>	}
---	---

No. 96-16669  
D.C. No.  
CV-94-03874-DLJ  
**ORDER**

On Remand from the United States Supreme Court

Filed July 31, 2002

Before: Mary M. Schroeder, Chief Judge, Procter Hug, Jr.,  
Betty B. Fletcher, Harry Pregerson,  
Diarmuid F. O'Scannlain, Stephen S. Trott,  
Andrew J. Kleinfeld, A. Wallace Tashima,  
Sidney R. Thomas, Raymond C. Fisher and  
Ronald M. Gould, Circuit Judges.

---

**ORDER**

This case is remanded to the district court for further proceedings consistent with *U.S. Airways, Inc. v. Barnett*, 535 U.S. \_\_\_, 122 S.Ct. 1516 (2002).

---

PRINTED FOR  
ADMINISTRATIVE OFFICE—U.S. COURTS  
BY WEST GROUP—SAN FRANCISCO—(800) 888-3600

The summary, which does not constitute a part of the opinion of the court, is copyrighted  
© 2002 by West Group.